



1642
1646

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor Application of:
Burkly et al.

Serial No: 09/804,490

Filed: March 12, 2001

For: Hedgehog and Patched Antagonists
for Inhibiting Cell and Tissue Growth
and Differentiation and Uses Thereof

Attorney Docket No. CIBT-P01-114

Art Unit: 1642

Examiner: M. Brannock

RECEIVED
NOV 03 2003
TECH CENTER 1600/2900

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below:

October 24, 2003

Date of Signature
and of Mail Deposit


Ginny Blundell

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO RESTRICTION REQUIREMENT

Sir:

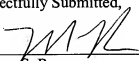
In reply to the outstanding Restriction Requirement, mailed October 2, 2003, in connection with the above application, Applicants hereby elect with traverse Group I, drawn to hedgehog antibody antagonists and methods of treating cells or animals therewith. Applicants elect this invention with traverse, because claims 1, 5, 9, 13-20, and 24 encompass overlapping subject matter based on use of hedgehog antagonists. Accordingly, searches related to these hedgehog antagonists are co-extensive, and Groups I-III could be examined simultaneously without significant additional burden.

In addition, Applicants submit that claims 1, 5, 9, 13-20, and 24 are linking claims for Groups I-III. Applicants respectfully remind the Examiner that, in accordance with MPEP 809, "should any linking claim be allowed, the restriction requirement must be withdrawn."

REMARKS

Claims 1-28 constitute the pending claims in the present application, and Applicants elect with traverse inventions of Group I. If any clarification of the above response would facilitate prosecution of this application, Applicants respectfully request that the Examiner contact the undersigned at 617-951-7000. Should an extension of time be required, Applicants hereby petition for same and request that the extension fee and any other fee required for timely consideration of this submission be charged to **Deposit Account No. 18-1945**.

Respectfully Submitted,



Melissa S. Rones
Reg. No. 54,408

Date: October 24, 2003

Customer No: 28120
Docketing Specialist
Ropes & Gray LLP
One International Place
Boston, MA 02110
Phone: 617-951-7000
Fax: 617-951-7050